

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

MITCHELL WHITE,

No. 03:07-CV-1574-AC

Plaintiff,

ORDER

v.

GUY HALL; MAX WILLIAMS;  
MR. THOMPSON, Food Services, TRCI;  
LIGHTBARN, Food Services, TRCI;  
MS. WHELAN, Health Services, TRCI;  
HERNANDEZ, Medical Nurse; and  
DR. LIDOL,

Defendants.

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Attorney for Plaintiff

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HERNANDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation (#70) on August 17, 2011, in which he recommends that this Court should grant Defendants' motion (#64) for summary judgment against White's remaining claim for violation of his rights to due process, equal protection, and freedom from cruel and unusual punishments. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Acosta's Findings and Recommendation (#70). Accordingly, Defendants' motion (#64) for summary judgment against White's remaining claim for violation of his rights to due process, equal protection, and freedom from cruel and unusual punishments is granted.

IT IS SO ORDERED.

DATED this 1st day of September, 2011.

/s/ Marco A. Hernandez  
MARCO HERNANDEZ  
United States District Judge